GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Surprise Check conducted over the Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District on 21-12-2013 – Allegations of Corruption – Common disciplinary proceedings initiated – Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Article of Charges framed against Sri Devarakonda Krishnaiah, PC, Prohibition & Excise Department - Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.762 **Dated:06-06-2018**
Read:

G.O.Ms.No.293, Revenue (Vigilance – II) Department, Dt:06-06-2018.

******

O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri Devarakonda Krishnaiah, PC (Prohibition & Excise Department), Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Devarakonda Krishnaiah, PC (Prohibition & Excise Department), Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Devarakonda Krishnaiah, PC (Prohibition & Excise Department), Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Devarakonda Krishnaiah, PC (Prohibition & Excise Department), Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Contd.,2

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

To

Sri Devarakinda Krishnaiah, PC (Prohibition & Excise Department), Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District (w.e, Annexures-I to IV)**through** the Revenue (Vigilance.IV) Department.(with a request to serve the order on the individual and send the served copy with dated signature to Government)

The Revenue (Vigilance.IV) Department.

Copy to

The Commissioner of Prohibition & Excise, Excise Complex, RS – 88-2B, Sai Vihar Apartments, Poultry Forum Road, Prasadampadu(v), Vijayawada.

The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

SF / SC.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGES FRAMED AGAINST SRI DEVARAKONDA KRISHNAIAH, PC, PROHIBITION AND EXCISE DEPARTMENT, INTEGRATED CHECK POST, BV PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri Devarakonda Krishnaiah, S/o Narasaiah, PC, Prohibition and Excise Department, was appointed as Constable, 9th Battalion, APSP, Venkatagiri on 15-10-1995 and worked as Constable, Prohibition and Excise Department on deputation basis from 12-08-1996 and worked at Integrated Check Post, BV Palem, Tada Mandal from 16-06-2012. While he was working as Constable, Prohibition and Excise Department at Integrated Check Post, BV Palem, Check Post, Tada on 21-12-2013 has committed grave misconduct in as much as:-

CHARGE:- That Sri Devarakonda Krishnaiah, PC, Prohibition and Excise Department, Integrated Check Post, BV Palem, Tada Mandal being a public servant who was absent from duty on the date of surprise check.

Thus, Sri Devarakonda Krishnaiah, PC by the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby violated Rule 4 (1) r/w 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE II

STATEMENT OF IMPUTATIONS IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI DEVARAKONDA KRISHNAIAH, PC, INTEGRATED CHECK POST, BV PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri Devarakonda Krishnaiah, PC, Integrated Check Post, BV Palem, Tada Mandal is native of Kullur, SPSR Nellore District and he joined in Government Service on 15-09-1995 in 9th Battalion, APSP, Venkatagiri as Constable and deputed to Prohibition and Excise Department on 12-08-1996 and working at Integrated Check Post, BV Palem, Tada Mandal from 16-06-2012. His date of Birth is on 01-07-1969 and date of retirement on attaining the age of superannuation is 30.06.2029. He is here-in-after referred to as Government Servant.

CHARGE:- That Sri Devarakonda Krishnaiah, PC, Prohibition and Excise Department, Integrated Check Post, BV Palem, Tada Mandal being a public servant who was absent from duty on the date of surprise check.

FACTS AND EVIDENCE:-

On credible information that the officers and staff of Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District are indulging in corrupt practices and collecting mamools from the crew of vehicles plying through Integrated Check Post, B.V.Palem, a surprise check was conducted over transport wing, prohibition and excise wing, commercial taxes incoming and outgoing wings of Integrated Check Post, B.V.Palem on 21-12-2013 from 00-30 hrs to 06-00 hrs with four teams headed by the Deputy Superintendent of Police, Anti Corruption Bureau Nellore Range, Nellore in the presence of mediators. The surprise check revealed the following irregularities and violations. As per the duty register Sri Devarakonda Krishnaiah, PC should be on duty from 01.00 pm on 20.12.2013 to 01.00 pm on 21.12.2013. As per the personal cash register he was on duty on 20.12.2013 but not declared the amount available with him. There is no reference in the attendance register relating to Sri Devarakonda Krishnaiah, PC that he attended to duties on 21.12.2013. Either the name or the signature of the said Sri Devarakonda Krishnaiah, PC appeared in the said attendance register dt.21.12.2013. The attendance register was also seized during the surprise check and it reflects that his name was not mentioned in the attendance register and so also no evidence that he attended the duties on 21.12.2013 nor left the office either with permission or applying any leave. Therefore Sri Devarakonda Krishnaiah, PC exhibited lack of integrity devotion to duty.

Therefore the Government Servant exhibited lack of integrity, devotion to duty which is unbecoming for a public servant and therefore he himself render for the departmental action for major penalty under Rule 4(1) of Andhra Pradesh Civil Services Conduct Rules 1964.

Thus the Government Servant Sri Devarakonda Krishnaiah, PC, Prohibition and Excise Department, Integrated Check Post, BV Palem, Tada Mandal, SPSR Nellore District by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 4 (1) r/w 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus the Government Servant has therefore rendered himself liable for departmental action for his misconduct.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE — III

LIST OF WITNESSES

1. Sri kallagiri Ramesh Babu S/o Nagi setty, Age: 27 years, Gandigovuru Village, YSR Kadapa District.

2. Sri N.Bala Veera Reddy S/o Pulla Reddy, Vallampadu Village, Koyalagunta, Khammam District.

3. Sri DSR Manohar Rao S/o Venkata Subbaiah, Age: 46 Years, Senior Assistant, Panchayat Raj Division, Ongole, Prakasam District.

4. Sri J.Bhaskara Rao, Deputy Superintendent of Police, Anti Corruption Bureau, Nellore.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE – IV

LIST OF RECORDS

1. Duty Register(Attendance register) of Integrated Check Post, B.V.Palem.

2. Attendance Register of Prohibition and Excise Wing of Integrated Check Post, BV Palem.

3. Mediators report drafted on 21.12.2013 for the surprise check conducted over the Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore Dist.

4. Service Particulars of SO and Job Chart.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER